

From: [Anna C. Martinez](#)
To: [Christopher Spinner](#)
Subject: RE:
Date: Tuesday, July 22, 2014 12:14:00 PM

Thanks for clarifying. Will get that draft to you in a bit.

Anna

-----Original Message-----

From: Christopher Spinner [<mailto:CSpinner@da.state.nm.us>]
Sent: Tuesday, July 22, 2014 11:41 AM
To: Anna C. Martinez
Subject: RE:

FPD had the personnel file, and the personnel file went to Judge Dean. My understanding is that he ruled that the IA investigation was discoverable and the personnel file was not. How things worked, practically, is that FPD gave me two envelopes, and I gave them to Judge Dean. He returned them saying one was discoverable and the other wasn't. My office sent you a copy of the envelope that was discoverable.

I'm not sure if the workman's comp claim is in the personnel file, so let me make a call on that. (I'm not even sure that there was a workman's comp claim.)

For the Motion to Continue, I can sign off on the fact that witness interviews are being rescheduled after they were delayed pending in camera review and discovery of the personnel and IA files and discovery of medical files. I can also sign off on the fact that if there is a workman's comp claim, and the records of the claim are with the city and not FPD, then you have not received them, and I need to verify that the city does not have a workman's comp file on Tyler Brown.

Thanks.

Chris Spinner
(505) 360-8648

-----Original Message-----

From: Anna C. Martinez [<mailto:anna@aequitas.pro>]
Sent: Tuesday, July 22, 2014 11:11 AM
To: Christopher Spinner
Subject: RE:

I went over my files on Tyler Brown, and what we have not yet received is the personnel file/workman's comp documentation. The last communication we had on that was in March, when you stated to me that on the Workers Compensation File you were still working on that, and that you might tack this file in with the IA file for in camera review, that you actually haven't confirmed that he made a claim, but you would let me know when you knew more.

As for the personnel file, you were not sure who the correct person is within the city government or police department to deliver the Order to, and were working through the bureaucracy to locate that person. Also, that when you reached the correct person, you would confirm whether the personnel file includes the Workers' Compensation file.

I could not find that we had any further communication on the personnel/Worker's Comp file that would clarify whether these documents were included in the in camera review. The only documentation I received in regard to the in camera review were IA files. Any updates on this? If not, do you object to my adding this to the MO to Cont?

Everything else we asked for, other than the interviews, seems to have been provided.

Anna

-----Original Message-----

From: Anna C. Martinez [<mailto:anna@aequitas.pro>]

Sent: Tuesday, July 22, 2014 10:15 AM

To: 'Christopher Spinner'

Subject: RE:

Hi Chris,

Please give me a call as soon as you can so we can talk about Olachea. Last communications we had prior to the May continuance was about some of the discovery we have since received, but also about scheduling Tyler Brown and Martin Snowbarger for interviews, which has not happened.

Let me know your thoughts,

Anna

-----Original Message-----

From: Christopher Spinner [<mailto:CSpinner@da.state.nm.us>]

Sent: Monday, July 21, 2014 8:30 AM

To: Stephanie Henson

Cc: Anna C. Martinez

Subject: Re:

Understood.

Defense and state need to conference. I'll be in touch with defense when things lighten up in Judge Birdsall's criminal docket.

Thanks.

Chris

> On Jul 21, 2014, at 8:03 AM, "Stephanie Henson" <aztdsah@nmcourts.gov>
> wrote:

>

> If you are not ready to proceed on Cody Olachea, one of the parties

> will

need to submit a motion and order to continue as soon as you can.

>

> thank you

>

> --

> Stephanie A. Henson

> Trial Court Administrative Assistant

> to The Honorable John A. Dean, Jr., Chief District Judge

> 103 S.Oliver Dr.

> Aztec, NM 87410

> (505) 334-7811

> (505) 334-1940 fax

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